

OIL BOARD DISBUREMENT BOARD

Proceedings of Meeting

March 22, 2004

9:00 a.m. (LOB Room 305)

Board Members Present: Rep. Robert G. Holbrook, Chairman; Kevin A. Sheppard, P.E., Vice-Chairman; Senator John Barnes; Rep. D.L. Christensen; Thomas Frawley, Scott R. Bryer, CPA; James E. Connolly, Jr.; Russell A Nylander, P.E.; Ronald Poirier

Board Members Absent: Senator Frank Sapareto; Raymond Bellemore; James Robertson

Other Attendees: Maureen Smith, Esq. & Richard Head, Esq. Dept of Justice; Linda Landis, & Daniel Comer, PSNH; John Ireland, & William Hoynack, NEUCO

Chairman Holbrook called the meeting to order at 9:45 a.m.

1. Minutes of January 26, 2004 Meeting
Mr. Connolly moved to approve the minutes of the January 26, 2004 meeting. Mr. Frawley seconded the motion. All in favor, motion carried.
2. Monthly Financial Reports and Related Matters (Timothy Denison)
Mr. Denison presented the reports for January and February 2004.
Mr. Connolly moved to reinstate the Fuel Oil Discharge Cleanup Fund import fee. Rep. Christensen seconded the motion. All in favor, motion carried.
Rep. Christensen moved to reinstate the transfer of funds from the Oil Discharge & Disposal Cleanup Fund to the Gasoline Remediation & Elimination of Ethers (GREE) Fund. Mr. Bryer seconded the motion. All in favor, motion carried.
3. Import Fee Interest & Penalty Waivers (Dept. of Safety)
Irving Oil Terminals; *Mr. Connolly moved to deny the request for reconsideration. Sen. Barnes seconded the motion. All in favor, motion carried*

Category 1 – Crawford et al; *Mr. Connolly moved to grant a waiver of penalties based on Dept. of Safety recommendations. Sen. Barnes seconded the motion. All in favor, motion carried*

Category 2 – Stiles Fuel Co.; *Mr. Connolly moved to deny a waiver of penalties and interest based on Dept. of Safety recommendations. Sen. Barnes seconded the motion. All in favor, motion carried*
4. Request for Deductible Payment Schedule Approval
Cass Fuel, Inc., Rochester Texaco; *Mr. Connolly moved to accept the payment schedule. Mr. Poirier seconded the motion. All in favor, motion carried.*

5. Monthly Activity Reports & Related Matters (Timothy Denison)
Mr. Denison reviewed the reports for January and February.
6. Request for Waiver of AST Registration Date (Timothy Denison)
AIW Assets, Inc., Raymond; *Sen. Barnes moved to table the request. Mr. Bryer seconded the motion. All in favor, motion carried.*
7. Requests for Waiver of Odb 401 (Timothy Denison)
Odb 401.28 SOW approval – Forest Society, Wilton; Gordon & Sons, Newton;
Odb 401.36 Records – Town of Londonderry; *Mr. Sheppard moved to approve the waivers based on DES recommendations. Mr. Connolly seconded the motion. All in favor, motion carried.*

Odb 401.07 Insurance & 401.28 SOW approval – PSNH, Manchester; *Mr. Connolly moved to table. Mr. Frawley seconded the motion. All in favor, motion carried.*
8. USGS Study Research Project (11/2003 Fund Allocation)
Mr. McGarry discussed the findings of the USGS Rockingham County MtBE study, and a proposal for a new statewide study. The Board deferred action to a later date.
9. Other Business:

Mr. Connolly moved to approve the third-party damage settlement in the matter of Bradford Oil. Mr. Frawley seconded the motion. All in favor, motion carried.

Mr. Sheppard moved to approve GREE Fund availability for known or unknown contamination source site projects. Mr. Poirier seconded the motion. All in favor, motion carried. DES will prepare a detailed policy statement for Board consideration at the May meeting.

Mr. Denison mentioned the GREE fund statewide MtBE risk assessment RFQ was issued. The Board will be updated on the contractor selection process. Mr. Connolly and Mr. Sheppard will be included in the final selection process.

Mr. McGarry discussed SB 397 and HB 1390 regarding a proposed ban of MtBE in the fuel supply.

Senator Barnes made a request that Commissioner Nolin be invited to attend the next meeting.

The next meeting will be held on April 26, 2004 at 9:00 a.m.

Meeting adjourned at 11:23 a.m.